



MINUTES

Of A

REGULAR COUNCIL MEETING

April 9, 2015

The City Council of the City of Longview, Texas, met in a Regular Session, April 9, 2015, at 5:30 P.M. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Jay Dean presided.

Members present were:

Jay Dean
John Sims
Gary Smith
Kasha Williams

Members absent were:

Kristen Ishihara

Richard Manley
Sidney Allen arrived at 6:36

Staff members present were:

David Willard, City Manager
Keith Bonds, Assistant City Manager
Shawn Hara, Assistant to the City Manager
Shelly Ballenger, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Rolin McPhee, Director of Public Works
Laura Hill, Director of Community Services

Angela Coen, Director of Financial Services

Mary Ann Miller, Director of Administration
J.P. Steelman, Fire Chief
Don Dingle, Police Chief

I. Call to Order – Mayor Jay Dean called the meeting to order.

II. Invocation – Senior Pastor, Mark Benson of Grace Creek Church gave the invocation.

III. Pledge of Allegiance – Senior Pastor, Mark Benson of Grace Creek Church led the pledge of allegiance.

IV. Citizen Comment

Deidre Beckworth, 1501 East Young Street, Longview: Spoke of trying to find a job that she enjoys.

Mayor Dean: We wish that will happen for you. The thing we have to do today is not give up and not stop. You continue to work hard and hopefully that dream will come true. Thank you and good luck. God bless you.

Vik Verma, 505 Danville Road, Kilgore: Organizing for Action will be having an event on Immigration Executive Orders that have been issued by President Obama. It is on April 14, 2015 at 6:30 at the Longview Community Center on East Whaley Street.

V. Animal Shelter Items

A. Consider a Resolution directing that the Longview Animal Shelter and Adoption Center be operated by City of Longview –

Richard Manley, City Council Member, District No. 5: We as a Council came to the conclusion that the city would run the new animal shelter. A few citizens were concerned that a future Council might in fact rescind our intentions. We intend for the Animal Shelter to be run by the City. It does not set a legal precedence but its sets a

historical precedence for any future Councils that this was the intent when we pass this Resolution today.

MOTION: Council Member Williams made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DIRECTING THAT THE LONGVIEW ANIMAL SHELTER AND ADOPTION CENTER BE OPERATED BY THE CITY OF LONGVIEW; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Sims seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 4917 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution accepting a gift from the Estate of Ona Jo Simpson for the Longview Animal Shelter and Adoption Center in the amount of \$293,562.09 and directing that the adoption lobby of said building be named in honor of Ona Jo Simpson –**

Mayor Jay Dean: On behalf of the Ona Jo Simpson family we are excited to accept this very generous donation. We want to say thank you. This is very important to go toward the construction of the new animal shelter facility and to go towards enhancements. Ona Jo enjoyed the adoption process so much that the actual adoption lobby will be named and prominently displayed in her honor and the honor of her family.

Gigi Ray from Arlington, Texas: I can't tell you enough how much this would have meant to my aunt. Ona Jo and her brother were raised in poverty and she raised herself up. Put herself through school in Dallas and came back to East Texas where she retired as a secretary. She grew up in the depression and died at the ripe, young age of 100. She loved nothing more in life than the animals. She adopted many animals from East Texas and this would be the culmination of her life. Thank you.

Mayor Dean: I would like to thank Gregg Wright the attorney for Ona Jo's estate and we sure appreciate your help.

MOTION: Council Member Manley made a motion the following Resolution be approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING A GIFT FROM THE ESTATE OF ONA JO SIMPSON FOR THE LONGVIEW ANIMAL SHELTER AND ADOPTION CENTER; DIRECTING THAT THE ADOPTION LOBBY OF SAID BUILDING BE NAMED IN HONOR OF ONA JO SIMPSON; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY AND ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 4918 and appears in the Resolution and Ordinance records of the City of Longview.

C. Discuss updates concerning Longview Animal Shelter and Adoption Center –

Mayor Jay Dean:

Animal Shelter Fundraising

\$292,000 Adoption Lobby

\$100,000 Spay Neuter Clinic

\$50,000 Exercise Yard

\$10,000	Dog Display
\$148,000	Fete for Pets and Various
\$100,000	Education Room
\$300,000	Naming Rights
<hr/>	
\$1,000,000	Total Pledged

We intend at the next meeting to bring forth the names of the different people who actually did the donations. We didn't have all of that at this time but we plan to have that as well as the naming of the facility at our next meeting. We are still accepting donations. Everything will go toward the construction, enhancement and operational issues that we are going to have. Fundraising will be an important part of the facility on a constant basis.

Several of us went to an Animal Care Expo and learned more about running animal shelters and some of the various issues that are associated with it. The main thing that we were trying to do was to learn what the whole process was like. In workshops we were taught how to properly take care of the animals and to be a work friendly environment. It was important to go and see and hear from other people how to place animals. That way they can reduce the euthanization of these animals. It is important to have an adoption program so we can place the animals in the future. Another is mastering the art on intake. Longview takes in about 7,000 animals a year. The education process could help reduce this number. We are going to have to look at parts of the Ordinances that we have. We need to figure out how to maximize adoptions and learn how to not overload the shelter.

We networked and one of the main objectives was to find an Executive Director for the facility. We would like that person to get started right away and oversee the construction, working with Council, working with staff to create the kind of Ordinances that have to be put in place and working with the volunteers.

The staff came away from this with a much better feeling about some of the things that they will be dealing with once the shelter is built.

Council Member Allen: It was very informative. Those of us who were not city employees paid our own expenses and the City paid for our registration. The program was really good. There are several different kinds of ideas that you can work with on adopting animals. There are all kinds of programs out there that we can learn to work with.

Council Member Smith: Do we also take corporate donations from local companies here in Longview?

Mayor Dean: To my knowledge, legally we can.

Council Member Smith: We need to encourage our corporate partners here in Longview to also step up and donate to this cause.

Mayor Dean: There are a number of opportunities remaining. I believe going forward that we will see more people; especially corporate people come in to donate.

VI. Presentation Item

Presentation of a Proclamation commemorating April as Autism Awareness Month – Mayor Jay Dean.

Mayor Jay Dean presented a proclamation to Anitra Allison Anderson commemorating April as Autism Awareness Month and April 11 as Family Fun Day for Autism Awareness.

WHEREAS, April is recognized as National Autism Awareness Month and April 11 will be celebrated as Family Fun Day for Autism Awareness. This is a time to recognize families and friends who suffer from this disorder; and

WHEREAS, Positive People with Positive Attitudes is an organization which focuses on building healthy relationships within the community. Our purpose is to bring unity, direction and educate people to make a difference; and

WHEREAS, the community is encouraged to join in the events on April 11 to help lead efforts to ensure that everyone has the right to live in conditions of opportunity, peace, dignity and mutual respect; and

NOW, THEREFORE, I Jay Dean, by the authority vested in me as Mayor of the City of Longview, Texas, do hereby proclaim April as National Autism Month and April 11th as Family Fun Day for Autism Awareness in Longview.

VII. Consent Agenda

- A. Consider a Resolution approving the submission of a grant application to the Texas State Library and Archives Commission for a Texas Reads grant in the amount up to \$3,000.00 to bring a nationally recognized children's author to Longview for 2016 Summer Reading Club program –**

Kara Spitz, Library Manager requested the Council consider a Resolution approving the submission of a grant application to the Texas State Library and Archives Commission for a "Texas Reads" grant in the amount of \$3,000. The grant will provide funding for the Library to bring Mr. Drew Daywalt, a nationally recognized children's author and film producer, to the Library and Broughton Branch for a special presentation during the 2016 Summer Reading Club program.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AN APPLICATION OF A TEXAS READS GRANT IN THE AMOUNT OF \$3,000.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; AUTHORIZING THE TIMELY SUBMISSION OF SAID APPLICATION; AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO ACCEPTING, SECURING AND EXPENDING SAID GRANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4919 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider an Ordinance amending and adopting the City of Longview Personnel Policies and Procedures Guide –

This item was pulled for separate consideration.

Council Member Smith: I need some more information regarding this.

Mary Ann Miller, Director of Administration requested the Council consider an Ordinance amending and adopting the Personnel Policies and Procedures guide. The City of Longview Personnel Policies and Procedures Manual is a document that

contains employment guidelines for City employees. Such a document requires periodic revision to remain up-to-date with changing laws or City practices. The policy manual has not been revised since September, 2012. Realizing we needed to review the entire document, the Human Resources department assembled a committee with members representing every City department. The committee has been regularly meeting since March, 2014. Each policy was comprehensively reviewed and discussed. Many of the resulting changes were either clarifications of the policy's original intent or were necessary to come in line with Federal law, State law, the City Charter, and/or the City's current practices.

The Travel Policy is a complete rewrite. The biggest change is that we are asking City staff to only use per diem.

We are bringing back the Language Pay Policy. It was taken out in 2012. We have determined that it needed to be put back in because it became a little difficult to master.

We are asking to increase the pay that we give to the employees who are bilingual. We felt that we need to increase and expand this. It is no longer just for Spanish speaking. We feel that this is a customer service enhancement.

We are asking that e-cigarettes be banned in City buildings and vehicles.

We are asking City Council to increase vacation accruals for some of our employees. The policy committee felt like it was a retention, retainment, and recruitment tool. It has been discussed for the last six years and this is the first time that it has been brought to Council. It went into effect in 1983 and has not been assessed by Council since that time.

Mayor Dean: As far as the accrual goes, what group would see the benefit?

Mary Ann Miller: Zero to five General Government (anything except Police and Fire) would see a benefit. General Government and Police and Fire would see an increase in five to fifteen years.

Mayor Dean: There is no additional funding required by the City?

Mary Ann Miller: It would not increase the City's budget numbers. It is an indirect cost in that people would get more vacation time. It is not a direct cost to the City's bottom line.

Council Member Williams: Isn't there still an accrual on the amount that you can accumulate?

Mary Ann Miller: There is. Three hundred and twenty hours and we are not asking to change that.

Council Member Manley: Can folks who accrue hours sell them back to the City?

Mary Ann Miller: No sir.

Council Member Smith: If I am an employee here for forty-eight months I can get three weeks vacation?

Mary Ann Miller: Currently if you work in Police and Fire and you get three weeks at forty-eight months. If you work in any other department, you get two weeks.

Council Member Allen: You mentioned several times zero to five years. Are you talking about twelve months to five years? You don't get vacation the first day that you start?

Mary Ann Miller: You begin to accrue but you won't get to use the vacation time until you are past your probationary period which is six months.

Council Member Allen: So how much vacation time do you get after six months?

Mary Ann Miller: You have accrued it since day one, so at the end of six months you would have sixty hours.

MOTION: Council Member Williams made a motion the following Resolution be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING AND ADOPTING THE PERSONNEL POLICIES AND PROCEDURES GUIDE OF THE CITY OF LONGVIEW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Smith seconded the motion.

VOTE: The motion carried (5, 1). Council Member Allen voted "No".

Such Resolution No. 3979 and appears in the Resolution and Ordinance records of the City of Longview.

C. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt, and expenditure of matching grant funds not to exceed \$20,000.00 from the Texas Historical Commission for an update of the Historic Resource Survey –

Angela Choy, Interim City Planner requested the Council consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt, and expenditure of matching grant funds not to exceed \$20,000.00 from the Texas Historical Commission for an update of the Historic Resource Survey.

Texas Historical Commission offers matching grants to communities that are designated as a Certified Local Government. Longview was designated a Certified Local Government in 2014. In maintaining our status as a Certified Local Government, a historic resource survey must be kept up to date.

A historic resource survey is a document designed to identify and evaluate properties in a community to determine whether they may be historically, architecturally, archaeologically, or culturally significant. A historic resource survey is important because it results in the identification of historic resources and helps determine which of those resources should be preserved. It helps the historic preservation commission along with the citizens better understand the historic character of the community and aid in determining which resources are a preservation priority and why.

The original historic resource survey was completed in 1986 and was a survey of all of Gregg County. The survey project was initiated by the Junior League of Longview in 1982 and co-sponsored by the City of Longview, Gregg County, and Spring Hill State Bank.

Through this grant process, staff hopes to work with Gregg County to either update the whole survey or a portion with the help of a consultant.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, AUTHORIZING AN
APPLICATION FOR A MATCHING GRANT NOT TO**

EXCEED \$20,000.00 FROM THE TEXAS HISTORICAL COMMISSION TO UPDATE THE CITY OF LONGVIEW HISTORIC RESOURCE SURVEY; AUTHORIZING THE TIMELY SUBMISSION OF SAID APPLICATION; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4920 appears in the Resolution and Ordinance records of the City of Longview.

D. Consider a Resolution approving a lease agreement with BNSF Railway Company for additional parking for the City's public transit system –

Keith Bonds, Assistant City Manager requested the Council consider a Resolution whereas the City's public transit system needs additional parking and maneuvering space for vehicles. BNSF Railway Company owns adjacent property that can be used for this purpose and has offered to lease that property to the City. The proposed resolution would authorize the City to enter into the lease offered by BNSF.

Under the proposed lease, base rent is \$1,822.72 per year and increases by 3% each year automatically. BNSF may impose additional rent increases at any time. Either the City or BNSF may terminate the lease with 30 days notice, but the City must pay an additional 3 months rent whenever the lease terminates. The City is responsible for repairs and maintenance. The lease also imposes significant insurance and indemnity requirements on the City.

Council Member Smith: I am trying to find out where this parking lot is. Where is this parking lot located?

Keith Bonds: It is immediately south of the existing Transit Facility. There is a spur of the railroad behind and the right of way of their property abuts right to the back of the

building. We have been driving back there for many years. We need to pave it because of the new larger buses. They said we will be glad to lease it to you and then you can pave it.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE A LEASE AGREEMENT WITH BNSF RAILWAY COMPANY FOR ADDITIONAL PARKING FOR THE CITY'S PUBLIC TRANSIT SYSTEM; CONDITIONING ANY EXPENDITURE OF FUNDS PURSUANT TO SAID LEASE ON FUTURE APPROPRIATIONS THEREFOR; AUTHORIZING THE NEGOTIATION AND EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT TO CARRY OUT THE TRANSACTION AND AGREEMENT CONTEMPLATED HEREIN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Such Resolution No. 4921 appears in the Resolution and Ordinance records of the City of Longview.

MOTION: Council Member Smith made a motion to approve the consent agenda Items A, C and D.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

VIII. Zoning – Public Hearing Items

- A. A PUBLIC HEARING will be held to consider application #Z15-06 filed by East Texas Building & Properties requesting a rezone from Single Family (SF-4) to Parking (P) for approximately 0.043 acres of the proposed Lot 5 Church Point No. 2 located on the north side of**

Church Street, east of Airline Road – THIS ITEM REQUIRES A PUBLIC HEARING.

Angela Choy, Interim City Planner: A PUBLIC HEARING will be held to consider application #Z15-06 filed by East Texas Building & Properties requesting a rezone from Single Family (SF-4) to Parking (P) for approximately 0.043 acres of the proposed Lot 5 Church Point No. 2 located on the north side of Church Street, east of Airline Road.

The applicant is requesting a rezone from Single Family (SF-4) to Parking (P) to allow for expansion of a parking lot for approximately 0.043 acres of the proposed Lot 5, Block 2 Church Point No. 2 located on the north side of Church Street, east of Airline Road. The contractor for this project built the parking lot into the required buffer yard. The parking lot encroaches into the ten feet buffer yard by approximately four feet. Due to its adjacency to residential, a ten foot wide buffer is required between residential and commercial.

Staff finds the proposed zoning change is consistent with the existing use and the surrounding uses.

Planning and Zoning Commission (9-0) and Staff recommend approval of this request.

The public hearing was opened.

No one was present to speak on this matter.

The public hearing was closed.

MOTION: Council Member Williams made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: THAT APPROXIMATELY 0.043 ACRES OF THE PROPOSED LOT 5 CHURCH POINT NO. 2 LOCATED ON THE NORTH SIDE OF CHURCH STREET, EAST OF AIRLINE ROAD BE REZONED FROM SINGLE FAMILY (SF-4) TO PARKING (P); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL

**MEETING AT WHICH THIS ORDINANCE PASSED
COMPLIED WITH THE OPEN MEETINGS ACT;
PROVIDING THAT VIOLATIONS OF THIS ORDINANCE
SHALL BE SUBJECT TO THE SAME PENALTIES AND
ENFORCEMENT AS VIOLATIONS OF THE ZONING
ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING
WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER
VIOLATION; REPEALING OTHER PROVISIONS IN
CONFLICT HEREWITH; PROVIDING A SAVINGS
CLAUSE; PROVIDING FOR SEVERABILITY OF THE
PROVISIONS HEREOF; MAKING OTHER FINDINGS AND
PROVISIONS RELATED TO THE SUBJECT; AND
ESTABLISHING AN EFFECTIVE DATE.**

SECOND: Council Member Sims seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 3980 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #PD15-03 filed by DKR Interest, LLC requesting to amend Planned Development (PD05-03) to allow for alignment and layout change of future streets of the subdivision for approximately 37.50 acres in the A. Jordan Survey A-360 located south of Page Road, off of Mission Creek Drive and Santa Cruz Drive – THIS ITEM REQUIRES A PUBLIC HEARING.**

Angela Choy, Interim City Planner: A PUBLIC HEARING will be held to consider application # #PD15-03 filed by DKR Interest, LLC requesting to amend Planned Development (PD05-03) to allow for alignment and layout change of future streets of the subdivision for approximately 37.50 acres in the A. Jordan Survey A-360 located south of Page Road, off of Mission Creek Drive and Santa Cruz Drive.

The applicant is requesting to amend PD05-03 to allow for alignment and layout change of future streets of the subdivision. The proposed layout will be changing the street layout to the southeast portion of the development. As a result, the total number of lots will be reduced by three to a total of 202 lots. The minimum lot dimensions, setbacks

and floor area will remain the same. Through the subdivision process this development will be expected to meet all the City of Longview requirements.

Staff finds the proposed planned development change is consistent with the comprehensive plan and the future land use.

Planning and Zoning Commission (6-3; Lonnie Murphy, Bryce Bagby and Steve Pirtle voted to deny) and Staff recommend **approval** of this request.

The public hearing was opened.

Eddie Mason, 1009 Delia, Longview: Are they going to do anything for flood control? There would be water coming off the hill and flooding my property.

Angela Choy: Yes, sir. Through the development process our City Engineer will look at this to determine drainage control. There is a proposed detention pond which they will be installing and there is also an existing pond as well.

Joe Hart with Johnson and Pace was available to answer questions.

Council Member Williams: In the absence of Council Member Ishihara, she has already met with some of the citizens in that area in regards to controlling the flooding. She will be facilitating a meeting upon her return because she is out of town on business.

Council Member Manley: Also, Angela, you may invite him to come to your Thursday morning meetings since you are talking to the developers.

Angela Choy: Yes, sir most certainly. You are more than welcome to come when we meet with Mr. Hart and the developer.

The public hearing was closed.

MOTION: Council Member Manley made a motion the following Ordinance be approved:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: TO AMEND PLANNED DEVELOPMENT (PD05-03) TO ALLOW FOR ALIGNMENT

AND LAYOUT CHANGE OF FUTURE STREETS OF THE SUBDIVISION FOR APPROXIMATELY 37.50 ACRES IN THE A. JORDAN SURVEY A-360 LOCATED SOUTH OF PAGE ROAD, OFF OF MISSION CREEK DRIVE AND SANTA CRUZ DRIVE; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 3981 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider an Ordinance #M15-01 amending Article 26 Historic Preservation section of the City of Longview Zoning Ordinance to include an incentive for Local Historic Landmarks – THIS ITEM REQUIRES A PUBLIC HEARING.**

Angela Choy, Interim City Planner: A PUBLIC HEARING will be held to consider #M15-01 amending Article 26 Historic Preservation section of the City of Longview Zoning Ordinance to include an incentive for Local Historic Landmarks.

Staff has amended Article 26 of the Zoning Ordinance to allow for the exemption of permit fees associated with construction, rehabilitation, zoning, variances, platting, and taps. Designated Local Historic Landmarks are eligible for this incentive and they must

first obtain a certificate of appropriateness from the Longview Historic Preservation Commission when necessary.

Comprehensive Plan states that historic preservation should be a focus as Longview seeks to be recognized as the most livable city in East Texas. One of the goals and objectives within the Comprehensive Plan is to build on Longview's historical significance and heritage by encouraging the adoption of development standards, zoning, and financial incentives. Creating incentives is one of the many tools used to help balance preservation of the City's Historic character with the promotion of development.

Planning and Zoning Commission, Historic Preservation Commission, and Staff recommend approval of the amendment to Article 26 Historic Preservation section of the City of Longview Zoning Ordinance.

Council Member Williams: Could you clarify Certificate of Appropriateness?

Angela Choy: When work is done on a structure. They pull a building permit and because it is a locally designated structure, they need to apply for a Certificate of Appropriateness to ensure that the work they are doing is appropriate for that structure. Once the Historic Preservation Commission either approves or denies that certificate, then the building permit will be processed.

Council Member Williams: Are their time constraints when people decide that they would like to pursue a property?

Angela Choy: They apply for the Certificate of Appropriateness approximately a month in advance and then the Historic Preservation Commission must hold a public hearing on the matter and once they approve or deny it, then it goes through the natural process.

The public hearing was opened.

No one was present to speak on this matter.

The public hearing was closed.

MOTION: Council Member Manley made a motion the following Ordinance be approved:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, AMENDING ARTICLE 26 OF THE
ZONING ORDINANCE OF THE CITY OF LONGVIEW,
TEXAS, (ORDINANCE NO. 96, AS AMENDED);**

MODIFYING THE HISTORIC PRESERVATION SECTION; FINDING THAT THE HISTORIC PRESERVATION COMMISSION MEETING, THE PLANNING AND ZONING COMMISSION MEETING, AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 3982 and appears in the Resolution and Ordinance records of the City of Longview.

IX. Items of Community Interest

Council Member Sims: This has been a long road and Jay and I have travelled it together. I want to thank him so much for making this animal shelter a reality.

Council Member Smith: I have been doing some traveling. I went to a Buc-ees and was talking to some investors down in that area and I asked them to come to Longview and look at the I-20 area. They seemed very interested.

I talked to some investors about a semi-pro baseball field at the I-20 corridor. They seemed interested and might look at this area.

Council Member Williams: New Beginnings Church were feeding the homeless. That is real ministry at work. I want to give them a shout out and was glad to have been there.

Prayer vigil that was held at Broughton last Saturday was very successful. Thank you for doing that.

Flame of Eternal Peace in commemoration of the Rwandan genocide of 1994 will be held on Saturday, April 11, 2015. The event begins at 3:00 pm at Speer Chapel at LeTourneau University and will include a solemn unity walk around the university loop.

MOTION: Council Member Manley made a motion that Kristin Ishihara be excused.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Council Member Manley: Thursday, April 16, 2015, the Zonta Club is honored to have Dr. Claire Renzetti present a program about the warning signs of sex trafficking and its effects on our community. It is a free event. It takes place at Longview High School's Mickey Melton Theater.

Council Member Allen: I am looking forward to the new Animal Shelter and having something that we can be proud of.

Mayor Dean: On Saturday, April 11, from 8 a.m. – Noon, at Lear Park, the City of Longview and Keep Longview Beautiful will host "Longview Green and Clean". The "Green" of Longview Green and Clean is giving the community a chance to recycle junk and other items that usually go to the landfill. The "Clean" part is a community wide effort of volunteers, that will work together to clean litter, and beautify the areas where they live, work or worship. For more information about the recycling activities call 903-237-1250. To register for litter collection email KLB@LongviewTexas.gov.

Also on Saturday, April 11, the Longview Public Library invites you and your family to enjoy a day of exploration, entertainment, and learning as part of the Chautauqua (*Sha-Tauk-Wa*) Festival. The event takes place from 10 a.m. – 4 p.m. For more information, contact the library at 903-237-1350.

The Mayor's Town Meeting originally scheduled for Tuesday, April 14 has been cancelled. However, a come-and-go reception will be held at City Hall on Thursday, April 23, 2015 from 3 p.m. - 5 p.m. recognizing the service of retiring council members John Sims, Gary Smith, and Mayor Jay Dean. The public is invited.

The City of Longview election for Mayor, District 1, 2, and 5 will be held on Saturday, May 9. Early voting begins April 27, 2015. All early voting will take place at City Hall. Election Day voting will take place within each district. For more information, contact the City Secretary's office at 903-237-1080 or visit LongviewTexas.gov.

I would like to say to the Longview News Journal did a good article about elections. The city elections received the smallest percent of voter turnout compared to federal, state and county. They did a good job telling people how easy it is to go register to vote. Hopefully we will have a good turnout on May 9, 2015.

We had an official ribbon flushing this morning complete with toilet paper as the ribbon. It was to celebrate the addition of the restrooms out at the Rodeo grounds. We also have a new pavilion that has a large fan. I would like to thank everyone involved with that. They did a great job.

X. Adjourn

The meeting was adjourned at 6:35 p.m.

[seal]

Shelly Ballenger
City Secretary

